

**DRAFT/UNAPPROVED
VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL CONFERENCE COMMITTEE
INFORMAL CONFERENCE COMMITTEE**

Wednesday, June 20, 2007
Fifth Floor
Conference Room 4

Department of Health Professions
6603 West Broad Street
Richmond, Virginia 23230

CALL TO ORDER: A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 9:00 a.m.

PRESIDING: Leo Ross, Committee Chairman

MEMBERS PRESENT: David C. Kozera

STAFF PRESENT: Cathy M. Reiniers-Day, Deputy Executive Director

KENDRICK F. PRITCHARD
License #0202-004335
Kendrick F. Pritchard appeared to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 3, 2007 Notice.

Amanda E. Mitchell, DHP Adjudication Specialist, was also present as staff for this conference.

Closed Meeting: Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Kendrick F. Pritchard. Additionally, he moved that Cathy Reiniers-Day and Amanda Mitchell attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene: Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning the allegations, Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 1.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Mr. Pritchard unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Pritchard within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

BEHROOZ GOODARZI
Pharmacist Applicant

Behrooz Goodarzi appeared to discuss his application for licensure as a pharmacist and allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 21, 2007 Notice.

Anne G. Joseph, APD Deputy Director, was also present as staff for this conference.

Closed Meeting:

Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Behrooz Goodarzi. Additionally, he moved that Cathy Reiniers-Day and Anne Joseph attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning the allegations, Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 2.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Mr. Goodarzi unless a written request to the Board for a formal hearing on the allegations made against him is received from Mr. Goodarzi within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

MARY A. PANICH
License #0202-009136

Mary A. Panich appeared to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 21, 2007 Notice.

Mykl D, Egan, DHP Adjudication Specialist, was also present as staff for this conference.

Closed Meeting:

Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Mary A. Panich. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements

NICOLE F. RAFFA
License #0202-207011

concerning the allegations, Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, to close this case with no violation.

Nicole F. Raffa appeared to discuss allegations that she may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 21, 2007 Notice.

Mr. Egan was also present as staff for this conference.

Closed Meeting:

Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, to convene a closed meeting pursuant to § 2.2-3711.A.28 of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Nicole F. Raffa. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations.

Reconvene:

Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion for closed meeting were heard, discussed or considered during the closed meeting.

Decision:

After consideration of the evidence and statements concerning allegation #1, Mr. Kozera moved, and the Committee voted 2-0 in favor of the motion, that the Committee make the findings of fact, conclusions of law and sanctions as stated in Attachment 3. Allegation #2 was closed as undetermined.

As provided by law, this decision shall become a final Order thirty days after service of such Order on Ms. Raffa unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Raffa within such time. If service of the Order is made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

ADJOURN:

With all business concluded, the meeting adjourned at

3:45 p.m.

Cathy M. Reiniers-Day
Deputy Executive Director

Leo H. Ross, Chair

Date

Attachment 1
Minutes - Board of Pharmacy
Special Conference Committee
June 20, 2007

Kendrick F. Pritchard

Findings of Fact and Conclusions of Law:

- Kendrick F. Pritchard holds license number 0202-004335 issued by the Board to practice pharmacy in the Commonwealth of Virginia.
- Mr. Pritchard violated § 54.1-3316(6) and (7), and § 54.1-3320 of the Code in that during the course of his employment as the pharmacist-in-charge at Tidewater Drive Center Pharmacy, Norfolk, Virginia, between November 2003 through January 19, 2005, he allowed an individual to perform the duties of a pharmacist, to include packaging, labeling, and dispensing buprenorphine (Schedule III) to participants of a clinical trial, when he was not licensed to do so.

Sanction

Kendrick F. Pritchard be issued a REPRIMAND.

Attachment 2
Minutes - Board of Pharmacy
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Behrooz Goodarzi

Findings of Fact and Conclusions of Law:

- On or about March 28, 2007, the Board received an Application for Transfer of Pharmacist Licensure for Behrooz Goodarzi and the application was denied pursuant to § 54.1-3322 of the Code, in that Mr. Goodarzi indicated disciplinary action had been taken on his pharmacist license in another jurisdiction.
- Mr. Goodarzi violated § 54.1-3316(9) of the Code in that, on August 5, 1999, the Maryland State Board of Pharmacy summarily suspended his license to practice pharmacy in Maryland and stayed the summary suspension with restrictions due to his maintaining over 500 expired drugs within the working drug stock of his pharmacy. Subsequently, pursuant to a Consent Order approved on July 20, 2005, Mr. Goodarzi's license was placed on probation due to his maintaining 51 expired drugs within the working drug stock. Said probation was terminated on October 18, 2006.

Sanction

- The application of Behrooz Goodarzi be APPROVED. Upon successful completion of the Virginia Drug Law Examination and provided no additional grounds exist to deny his application, Mr. Goodarzi shall be issued an unrestricted license to practice pharmacy in Virginia.

Attachment 3
Minutes - Board of Pharmacy
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Nicole F. Raffa

Findings of Fact and Conclusions of Law:

- Nichole F. Raffa holds license number 0202-207011 issued by the Board to practice pharmacy in the Commonwealth of Virginia.
- During the course of Ms. Raffa's employment as pharmacist-in-charge ("PIC") of Eckerd Drugs #8242, (now Rite Aid Pharmacy #11254), Chesapeake, Virginia, she violated § 54.1-3316 (7), § 54.1-3320(A)(1) and (6) and § 54.1-3462(A)(1) of the Code, and 18 VAC 110-20-270(C) of the Board of Pharmacy Regulations ("Regulations"), in that, on November 11, 2005, she dispensed RX#6585061 with Donnatal Elixir (Schedule VI) for an infant patient with the directions to take "3/4 teaspoon every six hours" instead of the prescribed .75cc every six hours. This resulted in the patient receiving an overdose.

Sanction

- Nichole F. Raffa shall successfully complete four (4) hours of continuing pharmacy education in the subject of prescription errors within sixty (60) days of the entry of this Order, with documentation of satisfactory completion submitted to the Board within thirty (30) days of completion of the course(s). Said hours shall be in addition to the fifteen (15) hours required for the renewal of her license.

